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UN SECURITY COUNCIL COLLECTIVE PRIORITY
AMEMBASSY SEOUL PRIORITY

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TAGS: UNSC KNNP JA KN
SUBJECT: USUN INSTRUCTIONS: ELEMENTS FOR DPRK LAUNCH

REF: USUN NEW YORK 235

Classified By: IO Acting A/S James Warlick for reasons
1.4(B) and (D)

¶1. (U) This is an action request.

¶2. (S) ACTION REQUEST: Department requests USUN use the elements of the draft Security Council resolution in paragraph 3 as a starting point to negotiate a Security Council resolution in the event of a missile launch by the DPRK.

¶3. (S) Some of the elements of the draft resolution in paragraph 3 were provided by Japan and should be drawn upon as a potential starting point to negotiate the text of a resolution. A resolution on this topic would need to make clear that this DPRK missile launch and any other activities related to its ballistic missile program constitute violations of Resolution 1718. USUN should seek to designate individuals and entities subject to 1718 sanctions in the text of an Annex to the new resolution. If it becomes clear that U.S. insistence on designation is endangering the Council's adoption of a resolution, USUN should instead seek assurance from China and Russia that they will not block action on these entities at the 1718 Committee and, upon such assurance, refer these entities to the 1718 Committee for action.

¶4. (S) Begin elements of draft resolution:

(PP)

Recalls relevant resolutions;

Reaffirms that proliferation of WMD and means of delivery constitutes a threat to international peace and security;

Registering profound concern that on (date) the Democratic People's Republic of Korea (DPRK) launched a multi-stage ballistic missile in violation of its obligations under resolution 1718 (2006);

Affirms that the DPRK's missile launch jeopardizes peace, stability and security in the region and the efforts to ease the tension through the Six Party Talks;

Affirms that the DPRK's missile launch and any other activities related to the DPRK's ballistic missile program, violate the DPRK's obligations under resolution 1718;

Acting under article 41 of Chapter VII of the Charter of the United Nations,

(OP)

(1) Condemns the launch by the DPRK of the multi-stage ballistic missile on (date) and activities related to the DPRK's ballistic missile program, which constitute a violation of the DPRK's obligations under resolution 1718;

(2) Demands that the DPRK comply fully with its obligations under resolution 1718;

(3) Reminds all Member States of their obligations under

resolution 1718;

(4) Decides that the measures in paragraph 8(a) of resolution 1718 shall also apply to the items specified in Annex I to this resolution.

(5) Decides that measures specified in paragraphs 8(d) of resolution 1718 (2006) shall apply also to the persons listed in Annex II and to the entities listed in the Annex III of this resolution, and decides further that the measures specified in paragraph 8(e) of resolution 1718 (2006) shall also apply to the persons listed in Annex II.

(6) Decides that all Member States, consistent with international law, including the law of the sea and relevant international civil aviation agreements, shall inspect cargos to and from the DPRK, of aircraft and vessels, at their airports and seaports, when there are reasonable grounds to believe that the cargoes include items covered by paragraph 4 of this resolution or paragraph 8(a)(i) or 8(a)(ii) of resolution 1718 (2006), and shall seize or otherwise prevent the transfer of such cargoes that they determine are being transferred in violation of this resolution or resolution 1718;

(7) Requests that all Member States report to the Security Council on the implementation of the measures imposed by paragraph 8 of resolution 1718;

(8) Emphasizes the importance of the expeditious and full implementation of the Joint Statement issued on 19 September 2005 and calls upon the DPRK to engage in the Six-Party Talks in a positive manner towards this end;

(9) Expresses its intention to review the measures imposed in this resolution and in resolution 1718, in light of the DPRK's actions, in six months or sooner if necessary.

End elements of draft resolution.

15. (S) Department also requests that USUN convey the following points when sharing these elements with other Security Council members, particularly the P-5 and Japan.

Begin points:

-- The United States believes we should begin collaborating closely but quietly to respond to a North Korean launch, which would violate UNSCR 1718 even if characterized by the DPRK as a satellite launch.

-- Member States should avoid any public discussions of possible Security Council actions, since these could unintentionally provide the DPRK with the excuse to take more provocative actions.

CLINTON